

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARK RINGLAND,

Plaintiff,

vs.

UNITED STATES,

Defendant.

8:22CV273

MEMORANDUM AND ORDER

This matter is before the Court on correspondence from Plaintiff Mark Ringland dated August 31, 2022, and received by this Court on September 13, 2022. [Filing No. 6](#). In the letter, Plaintiff informs the Court that his current institution “has [him] in transfer and is in P.C. [protective custody] for Ringland’s safety.” *Id.* Plaintiff states his “[t]ransfer will be put in Oct. 8, 2022,” and he will notify the Court of his new location when the transfer is complete. *Id.* Plaintiff designated his correspondence for filing in both the present case and another case previously filed by him, Case No. 8:21CV481. In Case No. 8:21CV481, Plaintiff also simultaneously filed a Motion for Extension of Time asking for a six-month extension to pay his filing fee. [Filing No. 36](#), Case No. 8:21CV481. However, Plaintiff has already paid his district court filing fee as well as his initial partial appellate filing fee in Case No. 8:21CV481, and the burden falls on his institution to collect any remaining payments. See [28 U.S.C. § 1915\(b\)\(2\)](#). In the present case, the Court had ordered Plaintiff to submit the \$402.00 filing and administrative fees or submit a request to proceed in forma pauperis by September 2, 2022. [Filing No. 4](#).

Given Plaintiff's statements about his pending transfer and the possibility that he mistakenly filed his Motion for Extension of Time in the incorrect case, the Court, on its own motion, will grant Plaintiff an extension of 60 days to submit the \$402.00 filing and administrative fees to the Clerk's office or a request to proceed in forma pauperis.¹

IT IS THEREFORE ORDERED that:

1. Plaintiff shall have until **November 14, 2022**, to submit the \$402.00 fees to the Clerk's office or submit a request to proceed in forma pauperis. Failure to take either action will result in dismissal of this matter without further notice.

2. The Clerk of the Court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

3. To avoid confusion, any document Plaintiff sends to the Court for filing in this case must contain the case number (8:22CV273).

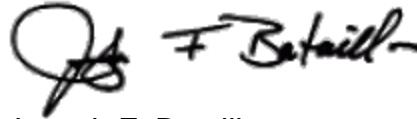
4. The Clerk of the Court is directed to set a pro se case management deadline in this matter with the following text: **November 14, 2022**: Check for MIFP or payment.

5. Plaintiff shall keep the Court informed of his current address at all times while this case is pending. Failure to do so may result in dismissal without further notice.

¹ If Plaintiff is granted leave to proceed IFP in this matter, he will be allowed to pay the court's \$350 filing fee in installments. See 28 U.S.C. § 1915(b)(1); *In re Tyler*, 110 F.3d 528, 529–30 (8th Cir. 1997). He would not be subject to the \$52.00 administrative fee assessed to non-IFP plaintiffs.

Dated this 14th day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long, horizontal stroke extending to the right.

Joseph F. Bataillon
Senior United States District Judge